

2003 DRAFTING REQUEST**Assembly Joint Resolution**Received: **11/13/2002**Received By: **pdykman**Wanted: **As time permits**Identical to LRB: **01-1093/2**For: **Scott Suder (608) 267-0280**By/Representing: **Emerson, Anne**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters:

Subject: **Constitutional Amendments**
Legislature - miscellaneous
Tax - miscellaneous

Extra Copies: **JTK**
JK
RJM

Submit via email: **YES**Requester's email: **Rep.Suder@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Supermajority vote on bills that would increase certain tax rates

Instructions:

See Attached 2001 AJR 2

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pdykman 11/18/2002	kgilfoy 11/19/2002					
/1			chaskett 11/20/2002		sbasford 11/20/2002 mbarman	lemery 11/26/2002	

11/26/2002 09:44:35 AM

Page 2

LRB-0704

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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_____ 11/26/2002

FE Sent For:

<END>

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/?	pdykman 11/18/2002	kgilfoy 11/19/2002		_____			
/1			chaskett 11/20/2002	_____	sbasford 11/20/2002 mbarman		

11/26/2002 08:04:52 AM

Page 2

LRB-0704

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	pdykman 11/18/2002	kgilfoy 11/19/2002					
/1			chaskett 11/20/2002		sbasford 11/20/2002		

11/20/2002 09:55:42 AM

Page 2

LRB-0704

FÊ Sent For:

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Received: 11/13/2002

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Wanted: As time permits

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For: Scott Suder (608) 267-0280

By/Representing: Emerson, Anne

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Subject: Constitutional Amendments
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FE Sent For:

11-11/18
KMG11-11/12
CGR11-11/12
PS/CGR
<END>

2001 ASSEMBLY JOINT RESOLUTION 2

January 16, 2001 – Introduced by Representatives SUDER, HUNDERTMARK, JENSEN, STARZYK, HAHN, LOEFFELHOLZ, KESPELL, SYKORA, RHOADES, KEDZIE, J. FITZGERALD, JESKEWITZ, F. LASEE, LADWIG, MONTGOMERY, GUNDERSON, VRAKAS, NASS, HUEBSCH, GROTHMAN, PETTIS, LEIBHAM, OWENS, KREIBICH, ALBERS, AINSWORTH and HOVEN, cosponsored by Senators WELCH, ZIEN and DARLING. Referred to Committee on Tax and Spending Limitations.

- 1 **To amend** section 8 of article VIII; and **to create** section 8 (3) of article VIII of the
- 2 constitution; **relating to:** the vote on bills that would increase certain tax rates
- 3 (first consideration).

Analysis by the Legislative Reference Bureau

This proposed constitutional amendment, proposed to the 2001 legislature on first consideration, requires a two-thirds vote in each house of the legislature to pass a bill to increase the rate of the state sales tax or any of the rates of the income tax or franchise tax.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

Resolved by the assembly, the senate concurring, That:

SECTION 1. Section 8 of article VIII of the constitution is amended to read:

[Article VIII] Section 8 (1) On the passage in either house of the legislature of any law which that imposes, continues or renews a tax, or increases the rate of the state sales tax or increases any of the rates of the income tax or franchise tax, or creates a debt or charge, or makes, continues or renews an appropriation of public

1 or trust money, or releases, discharges or commutes a claim or demand of the state,
2 the ~~question vote~~ shall be taken by yeas and nays, ~~which shall be duly ayes and noes,~~
3 and the names of the members voting for, and the names of the members voting
4 against, passage of the bill shall be entered on the journal; and.

5 (2) For any vote under sub. (1), three-fifths of all the members elected to such
6 the current membership of each house shall ~~in all such cases be required to~~ constitute
7 a quorum therein.

8 SECTION 2. Section 8 (3) of article VIII of the constitution is created to read:

9 [Article VIII] Section 8 (3) The passage in either house of the legislature of any
10 law to increase the rate of the state sales tax or to increase any of the rates of the
11 income tax or franchise tax requires the approval of two-thirds of the members
12 present.

13 SECTION 3. **Numbering of new provision.** The new subsection (3) of section
14 8 of article VIII of the constitution created in this joint resolution shall be designated
15 by the next higher open whole subsection number in that section in that article if,
16 before the ratification by the people of the amendment proposed in this joint
17 resolution, any other ratified amendment has created a subsection (3) of section 8 of
18 article VIII of the constitution of this state. If one or more joint resolutions create
19 a subsection (3) of section 8 of article VIII simultaneously with the ratification by the
20 people of the amendment proposed in this joint resolution, the subsections created
21 shall be numbered and placed in a sequence so that the subsections created by the
22 joint resolution having the lowest enrolled joint resolution number have the numbers
23 designated in that joint resolution and the subsections created by the other joint
24 resolutions have numbers that are in the same ascending order as are the numbers
25 of the enrolled joint resolutions creating the subsections.

1 ***Be it further resolved, That*** this proposed amendment be referred to the
2 legislature to be chosen at the next general election and that it be published for 3
3 months previous to the time of holding such election.

4 (END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

January 11, 2001

-0764/1
LRB-1093/24n

PJD:kmg:kjf
↑

2001 AJR 2, which was
This is 1999 AJR 83.

Atty. Peter J. Dykman
General Counsel
Phone: (608) 266-7098
E-mail: peter.dykman@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0704/1dn
PJD:kmg:cph

November 19, 2002

This is 2001 AJR 2, which was 1999 AJR 83.

Atty. Peter J. Dykman
General Counsel
Phone: (608) 266-7098
E-mail: peter.dykman@legis.state.wi.us

Barman, Mike

From: Barman, Mike
Sent: Tuesday, November 26, 2002 8:03 AM
To: Rep.Suder; Emerson, Anne
Cc: Dykman, Peter
Subject: RE: Bill Drafts

I will re-submit the four drafts to you (Rep.Suder) ... let me know if you have any problems.
Thanks,

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
100 N. Hamilton Street - 5th Floor
Madison, WI 53703

-----Original Message-----

From: Dykman, Peter
Sent: Monday, November 25, 2002 5:21 PM
To: Emerson, Anne; Barman, Mike
Subject: RE: Bill Drafts

I am forwarding this to the Mike Barman, of the LRB program assistants, in regard to jacketing and I will redraft the other one.

I don't know, but maybe the macros aren't set up yet for 2003 drafts, something that Mike Barman should know if he doesn't know.

Mike will respond to that question.

-----Original Message-----

From: Emerson, Anne
Sent: Monday, November 25, 2002 4:26 PM
To: Dykman, Peter
Subject: Bill Drafts

Peter,

I had Scott look over the drafts that you sent over and we just have one minor change. Also, he was unable to enable macros to ok the drafts for jacket and deleted the files without responding. I do have the draft that was paged over, but if you prefer to do it via the internet, you can resend it and I will be sure to get it okayed. I can access his e-mail and do it and he knows not to delete the drafts in the future. Otherwise here is the info:

LRB 0708-re: elimination of the legislative hotline - We would like to delete lins 8-19 on Page 2, the area that deals with state maps.

LRB 0704 - 2/3 majority to raise taxes - OK to jacket

LRB 0706 - SS# on fishing license-OK to jacket

LRB 0705 - flag desecration - OK to jacket

LRB 0707 - offices of Sec. of State & Treasurer - OK to jacket

If you have any questions, please do not hesitate to contact me.

Thank you!

Anne Emerson
Office of Representative Suder

Emery, Lynn

From: Emerson, Anne
Sent: Tuesday, November 26, 2002 8:54 AM
To: LRB.Legal
Subject: Draft review: LRB-0704/1 Topic: Supermajority vote on bills that would increase certain tax rates

It has been requested by <Emerson, Anne> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB-0704/1 Topic: Supermajority vote on bills that would increase certain tax rates